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March 7, 2025

VIA ECF

Hon. Steven I. Locke
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *SiteOne Landscape Supply, LLC v. Nicholas Giordano, et al.*
Case No.: 2:23-cv-2084-GRB-SIL

Dear Judge Locke,

We represent all Defendants in the above-referenced matter. We write to respectfully request that Defendants' February 7, 2025 Motion to Compel (ECF No. 189, the "Motion"), which had been withdrawn without prejudice at the conclusion of the February 10, 2025 hearing (the "Hearing") in the above-captioned case, be restored to the docket at this time for the Court's consideration.

As the Court is aware, the Motion, which seeks, *inter alia*, Plaintiff's production of text messages and supplemental production of email messages relevant to the defense in this case, was withdrawn without prejudice at the conclusion of the Hearing to give the parties an opportunity to resolve the issue without the Court's intervention. However, we are now a month removed from the Hearing and from the withdrawal of the Motion and practically no progress has been made. Therefore, in light of the status conference scheduled for March 26, 2025 in this case, Defendants submit this request for the Motion to be restored to docket at this time so that Plaintiff can respond (within 4 days, pursuant to the Court's Individual Motion Practices, by March 11, 2025) in time for the Court to address this Motion at the status conference.

We thank you for your attention to this matter.

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

/s/ Colleen O'Neil

cc: all counsel of record via ECF